

Peter Howe

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1 Q. 2004?

2 A. Yeah, possibly. I don't know, I don't remember
3 but it was, I believe it was --

4 Q. If you look back at Guttridge 3, this layoff
5 list, are you saying that Poprik was laid off -- was
6 Poprik laid off before June 30 of 2004?

7 A. I have to get the exact date. I forget when.
8 Most likely after that. I would guess it was after that.

9 Q. Do you know if he was laid off before you became
10 the engineering manager in August of 2004?

11 A. I believe it may have happened after I became
12 engineering manager.

13 Q. So sometime in late 2004?

14 A. Or possibly early 2005.

15 Q. Late 2004, early 2005. Do you know his age?

16 A. No. I know he's younger than me.

17 Q. Do you know if he was younger than the age of
18 forty at the time he was laid off?

19 A. No. I don't know that.

20 Q. So today do you know if he's over the age of
21 forty?

22 A. No.

23 Q. Do you know why he was laid off?

24 A. Lack of work.

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1 program that is designed to provide entry level
2 opportunities to minority engineering students." Do you
3 see that?

4 A. Yes.

5 Q. Do you agree with those two statements that I
6 just read?

7 A. Yeah.

8 Q. Okay. So you agree that BE&K has made a
9 commitment to the future of their profession through the
10 Inroads program to provide entry level opportunities to
11 minority engineering students?

12 A. I'd separate out the Inroads program. Maybe
13 there's a different focus on the reason why we -- I
14 wouldn't say it is necessarily to the profession. That's
15 to a very worthwhile program.

16 I definitely agree that, you know, hiring
17 college graduates, sure, has to be seen as somewhat a
18 commitment to the profession. No doubt.

19 Q. Okay. But has BE&K made a small number of hires
20 of entry level people through the Inroads program?

21 A. Yes.

22 Q. Have they done that in the process department?

23 A. No, unless Candice Yee has since I left. But
24 when I was there, no.

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1 Q. This letter was written on --

2 A. At that point.

3 Q. Please let me finish. This letter was written
4 July 21, 2004. So at that point is it no?

5 A. No.

6 Q. Let's stay on that paragraph. "The work these
7 people perform is obviously very simple, low level and
8 low compensated. It is in no way analogous to the work
9 performed by senior engineers such as Mr. Perez and it
10 clearly would be insulting and inappropriate to claim
11 that Mr. Perez should perform such functions." Do you
12 see that?

13 A. Yes.

14 Q. Do you agree with those two statements?

15 A. Not necessarily.

16 Q. Why not necessarily?

17 A. Because we do expect our engineers to be broadly
18 skilled and we do expect our engineers to do low level
19 and high level work, depending on availability of people
20 and the work that's required to be done at the time.

21 Q. Is there any other reason why you don't
22 necessarily agree with those two statements?

23 A. Yes.

24 Q. What other?

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1 A. Yes.

2 Q. Okay. Have you ever had a situation where there
3 was an employee who was working on general overhead, but
4 was so outstanding of a performer or so specialized that
5 you delayed laying them off?

6 A. Yes.

7 Q. Can you tell me when that would happen or if you
8 have a specific example even?

9 A. There's been numerous cases where someone of the
10 caliber of John Trexler or Bill Robinson that are highly
11 regarded, top level employees, finish a job. We may ask
12 them to work on business developments, may work on some
13 filler projects or may, you know, just charge to BE&K
14 waiting for the next project to come on.

15 Q. That's for outstanding employees?

16 A. Outstanding employees. It is a business
17 decision.

18 Q. You named John Trexler. He is now -- do you know
19 what his current title is?

20 A. Yes, manager of the process department.

21 Q. So he has your old job?

22 A. Yes. The job before my previous one.

23 Q. Okay. So he was subsequently promoted, then?

24 A. Yes.

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1 Q. For outstanding employees it is too great of a
2 business risk to lose, would that be correct?

3 A. That's correct.

4 Q. Now, you testified that Obed was an average
5 performer or average engineer. Is that correct?

6 A. Yes.

7 Q. Now, based on that, does that explain why you
8 could not continue to keep him on general overhead?

9 A. That's correct.

10 Q. Okay. Few more documents I want to get in,
11 starting with D 3218.

12 (Howe Deposition Exhibit No. 13 marked for
13 identification.)

14 BY MS. DIBIANCA:

15 Q. Can you tell me what this is?

16 A. This is e-mail from John Trexler to me,
17 indicating to me his forecast of the coming weeks and as
18 regards what he feels he can keep Obed busy with.

19 Q. So would this have been when Obed was working on
20 filler work at the end of 2003?

21 A. Yes.

22 Q. If we can flip to the project chart that was
23 admitted earlier --

24 A. Howe 3.

B 205

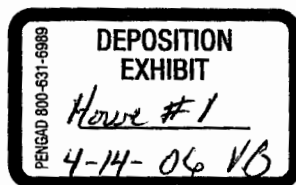


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Process Department 11/1/03

Active Employees 11/03

Name	Date of Birth	Date of Hire	Position
Jack R. Baker	4/18/1946	6/19/1995	Senior Engineer
Gladys B. Delgado	4/14/1963	3/24/1997	Design Specialist
Edward C. Elener	3/29/1957	3/3/1997	Senior Engineer
Andrea J. Gerwig	8/15/1963	8/17/1992	Senior Engineer
Christopher Guttridge	8/22/1980	7/21/2003	Engineer II
Nasim Hassan	10/14/1942	7/18/1994	Principal Engineer
Jennifer Lin	2/20/1963	10/14/2002	Design Specialist
Allen B. Majors	4/5/1946	12/1/1994	Project Manager II
Juan Obed Perez	2/27/1949	3/1/2000	Senior Engineer
Yen Loan T. Pham	5/19/1968	6/28/2000	Engineer IV
Brian C. Preston	8/8/1951	1/2/1996	Principal Engineer
Richard C. Robbins	7/5/1940	1/2/1996	Design Specialist
William E. Robinson	5/27/1965	8/29/1994	Senior Engineer
Prabhakar Sharma	2/26/1952	3/14/2000	Principal Engineer
Shea N. Taylor	6/16/1975	6/29/1998	Senior Engineer
John G. Trexler	4/1/1955	5/26/1992	Principal Engineer
Michael Tweed	2/5/1961	3/6/2000	Engineer IV
Eugene G. Wright	2/22/1957	6/19/1995	Design Specialist
Robert W. Wunder	3/25/1963	4/7/1997	Design Specialist

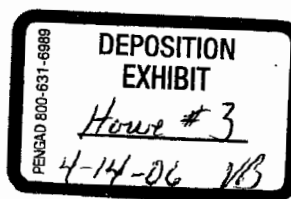


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BE&K Delaware -Projects
Nov. 2003

Client Name	Project No.	Project Title	Start	End	Process Dept. Personnel
1) DuPont	DCD3S004	Misc. Chambers Works	Oct-03	May-04	Robbins
2) DuPont	DCD3U001	Chambers Works Site Team	Sep-02	Jun-04	Beitler
					Taylor
3) DuPont	DSC32307	Spruance Small Projects	Sep-03	Ongoing	Poprik
	etc.				Wright
4) DuPont	DAA3T001	White Pigments Relief Device Team	Feb-03	Ongoing	Baker
	DAA3T002				Delgado
	DDE3T003				Gerwig
	DDE3T004				Guttridge
	etc.				Hassan
					Pham
5) DuPont	DEA2T087	Edgemoor: North End Spill Diversion	May-03	Apr-04	Elener
6) DuPont	DMF3COO3	Maniti: Intermediates / Past Expansion	Sep-03	Nov-03	Sharma
7) DuPont	DMF3C004	Maniti: Spherical Silver Expansion	Jul-03	Dec-03	Tweed
8) DuPont	DWC32001	Project Blue	May-03	Feb-04	Preston
9) DuPont	DCS3X001	PANDA	Jan-03	Dec-03	Majors
10) Motiva	5040602	Hydrocracker Corrosion Mitigation	Sep-03	Dec-03	Trexler
					Perez
11) Conoco-Phillips	5040612	Flare Network Modeling	Sep-03	Feb-04	Lin
12) Motiva	5040626	Gasifier Process Hazards Reviews	Nov-03	Dec-03	Wunder



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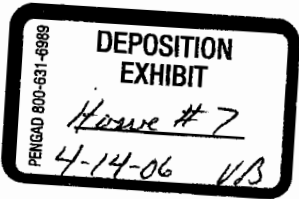
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BE&K Employee: 1564 (Juan O Perez) Entered: 12/10/2003 Charged: 11/21/2003 Certified Approved																
DSD38003	R 561	E510/HO	1	JBEK - BE&K/Kvaerner (JV)			9 00	9 00	-1 00							-19 00
Work Order/Change Order/Client Acct#:5421860083																
6040667	R 561	E510/HO	1	E. I DuPont			9 00	9 00	1 00							19 00
Work Order/Change Order/Client Acct#:1234																
Total Reg Time:																
Total O T Time:																
Total Prem Time:																
Total Other Time:																
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Total Reg Time:																
Total O T Time:																
Total Prem Time:																
Total Other Time:																
BE&K Employee: 1664 (Juan O Perez) Entered: 11/14/2003 Charged: 11/14/2003 Certified Approved																
5040602	R 561	E510/HO	1	Motiva Enterprises LLC			9 00	9 00	9 00	9 00	4 00	40 00				40 00
Total Reg Time:																
Total O T Time:																
Total Prem Time:																
Total Other Time:																
BE&K Employee: 1664 (Juan O Perez) Entered: 11/7/2003 Charged: 11/7/2003 Certified Approved																
6040602	R 561	E510/HO	1	Motiva Enterprises LLC			9 00	9 00	9 00	9 00	4 00	40 00				40 00
Total Reg Time:																
Total O T Time:																
Total Prem Time:																
Total Other Time:																
BE&K Employee: 1564 (Juan O Perez) Entered: 10/31/2003 Charged: 10/31/2003 Certified Approved																
5040002	R 561	E510/HO	1	Motiva Enterprises LLC			9 00	9 00	9 00	9 00	4 00	40 00				40 00
Total Reg Time:																
Total O T Time:																
Total Prem Time:																
Total Other Time:																



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5040602	R	561		E510/HO	1	Motiva Enterprises LLC			9 00	9 00	9 00	0 00	3 00	39 00			
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Total O T Time:																	
Total Prem. Time:																	
Total Other Time:																	
BE&K Employee: 1564 (Juan O Perez) Entered: 10/17/2003 Charged: 10/17/2003 Certified Approved																	
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5040602	R	561		E510/HO	1	Motiva Enterprises LLC			7 00	9 00	9 00	0 00	2 00	36 00			
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Total Reg. Time:									9 00	9 00	9 00	9 00	4 00	40 00			
Total O T Time:																	
Total Prem. Time:																	
Total Other Time:																	
BE&K Employee: 1564 (Juan O Perez) Entered: 10/17/2003 Charged: 10/10/2003 Certified Approved																	
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Notes: AUTO-GENERATED																	
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Total O T Time:																	
Total Prem. Time:																	
Total Other Time:									40 00								40 00
BE&K Employee: 1564 (Juan O Perez) Entered: 10/10/2003 Charged: 10/10/2003 Certified Approved																	
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Total O T Time:																	
Total Prem. Time:																	
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500	N			E510/HO	63	BE&K Engineering Co								9 00	9 00		18 00
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Total O T Time:																	
Total Prem. Time:																	
Total Other Time:														8 00	8 00		18 00

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Employee: 32364 (JUAN O PEREZ)					Entered: 9/30/2003	Charged: 9/30/2003	Certified	Approved							
03-7420	R 75/0561	24	909140	MOTIVA ENTERPRISES LLC	R	9 00	4 00						13 00		
	N 75/0561	01	909140	PROCESS	R		5 00						5 00		
Total Reg. Time:						9 00	9 00						18 00		
Total O.T. Time:															
Total Prem. Time:															
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03-7420	R 75/0561		909140	MOTIVA ENTERPRISES LLC	R	7 00	9 00	7 00	7 00	2 00			32 00		
	N 75/0561	01	909140	PROCESS	R	2 00		2 00	2 00	2 00			8 00		
Total Reg. Time:						9 00	9 00	9 00	9 00	4 00			40 00		
Total O.T. Time:															
Total Prem. Time:															
Employee: 32364 (JUAN O PEREZ)					Entered: 9/21/2003	Charged: 9/21/2003	Certified	Approved							
03-7034	R 75/0561	08	909140	E I DUFONT	R	4 00	9 00	9 00		4 00			26 00		
WIR:DSD38008					Client Acct#:5421B62871										
	N 75/0561	01	909140	PROCESS	R	5 00			9 00				14 00		
Total Reg. Time:						9 00	9 00	9 00	9 00	4 00			40 00		
Total O.T. Time:															
Total Prem. Time:															
Employee: 32364 (JUAN O PEREZ)					Entered: 9/14/2003	Charged: 9/14/2003	Certified	Approved							
03-7034	R 75/0561		909140	E I DUFONT	R		6 00	9 00	4 00				19 00		
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	N 75/0561	00	909140	PROCESS	R	9 00	9 00	3 00					21 00		
Total Reg. Time:						9 00	9 00	9 00	9 00	4 00			40 00		
Total O.T. Time:															
Total Prem. Time:															
Employee: 32364 (JUAN O PEREZ)					Entered: 9/7/2003	Charged: 9/7/2003	Certified	Approved							
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Page 2

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				Total O.T. Time:											
				Total Prem. Time:											
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				Total O.T. Time:											
				Total Prem. Time:											
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N 75/V				Vacation	R	9 00	9 00	9 00	9 00	4 00	40 00				
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				Total Prem. Time:											
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Employee: 32364 (JUAN O PEREZ)				Entered: 8/10/2003		Charged: 8/10/2003				Certified		Approved			
03-7402 R 75/0561				909140	CONOCO PHILLIPS	R	8 00		8 00	8 00	8 00	32 00			
N 75/V				Vacation	R		8 00					8 00			
				Total Reg. Time:		8 00	8 00	8 00	8 00	8 00	40 00				
				Total O.T. Time:											
				Total Prem. Time:											
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Employee: 32364 (JUAN O PEREZ)				Entered: 8/3/2003		Charged: 8/3/2003				Certified		Approved			
03-7402 R 75/0561				909140	CONOCO PHILLIPS	R	8 00	8 00	8 00	8 00	8 00	40 00			
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				Total Prem. Time:											
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03-7402 R 75/0561				909140	CONOCO PHILLIPS	R	8 00	8 00	8 00	8 00	8 00	40 00			
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Page 3

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				Total Prem Time:							
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				Total O.T Time:							
				Total Prem Time:							
Employee: 32364 (JUAN O PEREZ) Entered: 7/6/2003 Charged: 7/6/2003 Certified Approved											
	N 75/H		909140	Holiday		8 00				8 00	
03-7402	R 75/0561	03	909140	CONOCO PHILLIPS		32 00				32 00	
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				Total O.T Time:							
				Total Prem Time:							
Employee: 32364 (JUAN O PEREZ) Entered: 6/29/2003 Charged: 6/29/2003 Certified Approved											
	N 75/V		909140	Vacation		8 00				8 00	
	N 75/S		909140	Sick Time		4 00				4 00	
03-7402	R 75/0561	00	909140	CONOCO PHILLIPS		28 00				28 00	
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				Total Prem Time:							
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03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		40 00				40 00	
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				Total Prem Time:							

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				Total O T Time:							
				Total Prem Time:							
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	N 75/S		909140	Sick Time		8 00				8 00	
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		32 00				32 00	
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				Total O T Time:							
				Total Prem Time:							
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03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		32 00				32 00	
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				Total O T Time:							
				Total Prem Time:							
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	N 75/V		909140	Vacation		16 00				16 00	
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				Total O T Time:							
				Total Prem Time:							
Employee: 32364 (JUAN O PEREZ)											
	N 75/V		909140	Vacation		24 00				24 00	
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		16 00				16 00	
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				Total Prem Time:							

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HomeDepartment: 561 - PROCESS

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			Total Reg. Time:		40 00			40 00
			Total O T Time:					
			Total Prem Time:					
Employee: 32364 (JUAN O PEREZ) Entered: 5/4/2003 Charged: 5/4/2003 Certified Approved								
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		40 00			40 00
			Total Reg. Time:		40 00			40 00
			Total O.T Time:					
			Total Prem Time:					
Employee: 32364 (JUAN O PEREZ) Entered: 5/4/2003 Charged: 4/20/2003 Certified Approved								
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		-40 00			-40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		40 00			40 00
			Total Reg. Time:					
			Total O T Time:					
			Total Prem Time:					
Employee: 32364 (JUAN O PEREZ) Entered: 5/4/2003 Charged: 4/13/2003 Certified Approved								
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		-40 00			-40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		40 00			40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		40 00			40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		-40 00			-40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		-40 00			-40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		40 00			40 00
			Total Reg. Time:					
			Total O.T Time:					
			Total Prem Time:					
Employee: 32364 (JUAN O PEREZ) Entered: 5/4/2003 Charged: 4/6/2003 Certified Approved								
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		-40 00			-40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		40 00			40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		40 00			40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		-40 00			-40 00
03-7402	R 75/0561	08 909140	CONOCO PHILLIPS		-40 00			-40 00

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HomeDepartment:561 - PROCESS

Contr/Prop	R Dept N Charged	Area	Cost w/c Code	Customer Name	R,O P	Reg. O T. Prem	Total Hours Reg O T Prem
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		40 00	40 00
Total Reg Time:							
Total O T Time:							
Total Prem Time:							
<hr/>							
Employee: 32364 (JUAN O PEREZ)				Entered: 5/4/2003	Charged: 3/30/2003	Certified	Approved
	N 75/V		909140	Vacation	8 00		8 00
	N 75/V		909140	Vacation	-8 00		-8 00
	N 75/V		909140	Vacation	-8 00		-8 00
	N 75/V		909140	Vacation	8 00		8 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS	32 00		32 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS	-32 00		-32 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS	-32 00		-32 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS	32 00		32 00
Total Reg Time:							
Total O T Time:							
Total Prem Time:							
<hr/>							
Employee: 32364 (JUAN O PEREZ)				Entered: 5/4/2003	Charged: 3/23/2003	Certified	Approved
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS	40 00		40 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS	-40 00		-40 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS	-40 00		-40 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS	40 00		40 00
Total Reg Time:							
Total O T Time:							
Total Prem Time:							
<hr/>							
Employee: 32364 (JUAN O PEREZ)				Entered: 5/4/2003	Charged: 3/16/2003	Certified	Approved
03-7402	R 75/0561	00	909140	CONOCO PHILLIPS	40 00		40 00
03-7402	R 75/0561	00	909140	CONOCO PHILLIPS	-40 00		-40 00
03-7402	R 75/0561	00	909140	CONOCO PHILLIPS	-40 00		-40 00
03-7402	R 75/0561	00	909140	CONOCO PHILLIPS	40 00		40 00
Total Reg Time:							
Total O T Time:							
Total Prem Time:							

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HomeDepartment:561 - PROCESS

R Dept		Cost		R,O		Total Hours		
Contr/Prop	N Charged	Area	w/c Code	Customer Name	P	Reg	O T	Prem
Employee: 32364 (JUAN O PEREZ)				Entered: 5/4/2003		Charged: 3/9/2003		Certified Approved
	N 75/S		909140	Sick Time		40 00		40 00
	N 75/S		909140	Sick Time		-40 00		-40 00
	N 75/S		909140	Sick Time		-40 00		-40 00
	N 75/S		909140	Sick Time		40 00		40 00
				Total Reg Time:				
				Total O T Time:				
				Total Prem Time:				
Employee: 32364 (JUAN O PEREZ)				Entered: 4/27/2003		Charged: 4/27/2003		Certified Approved
	N 75/V		909140	Vacation		8 00		8 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		32 00		32 00
				Total Reg Time:		40 00		
				Total O T Time:				
				Total Prem Time:				
Employee: 32364 (JUAN O PEREZ)				Entered: 4/20/2003		Charged: 4/20/2003		Certified Approved
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		40 00		40 00
				Total Reg Time:		40 00		
				Total O T Time:				
				Total Prem Time:				
Employee: 32364 (JUAN O PEREZ)				Entered: 4/20/2003		Charged: 4/13/2003		Certified Approved
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		-40 00		-40 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		40 00		40 00
				Total Reg Time:				
				Total O T Time:				
				Total Prem Time:				
Employee: 32364 (JUAN O PEREZ)				Entered: 4/20/2003		Charged: 4/6/2003		Certified Approved
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		-40 00		-40 00
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		40 00		40 00
				Total Reg Time:				
				Total O T Time:				
				Total Prem Time:				

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HomeDepartment: 561 - PROCESS

Contr/Prop	R Dept N Charged	Area	Cost w/c Code	Customer Name	R,O P	Reg	O T	Prem	Total Hours Reg O T Prem
Employee: 32364 (JUAN O PEREZ)					Entered: 4/20/2003	Charged: 3/30/2003	Certified	Approved	
	N 75/V		909140	Vacation		-8 00		-8 00	
	N 75/V		909140	Vacation		8 00		8 00	
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		32 00		-32 00	
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		32 00		32 00	
					Total Reg. Time:				
					Total O.T. Time:				
					Total Prem. Time:				
Employee: 32364 (JUAN O PEREZ)					Entered: 4/20/2003	Charged: 3/23/2003	Certified	Approved	
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		-40 00		-40 00	
03-7402	R 75/0561	08	909140	CONOCO PHILLIPS		40 00		40 00	
					Total Reg. Time:				
					Total O.T. Time:				
					Total Prem. Time:				
Employee: 32364 (JUAN O PEREZ)					Entered: 4/20/2003	Charged: 3/16/2003	Certified	Approved	
03-7402	R 75/0561	00	909140	CONOCO PHILLIPS		-40 00		-40 00	
03-7402	R 75/0561	00	909140	CONOCO PHILLIPS		40 00		40 00	
					Total Reg. Time:				
					Total O.T. Time:				
					Total Prem. Time:				
Employee: 32364 (JUAN O PEREZ)					Entered: 4/20/2003	Charged: 3/9/2003	Certified	Approved	
	N 75/S		909140	Sick Time		-40 00		-40 00	
	N 75/S		909140	Sick Time		40 00		40 00	
					Total Reg. Time:				
					Total O.T. Time:				
					Total Prem. Time:				
Employee: 32364 (JUAN O PEREZ)					Entered: 4/13/2003	Charged: 4/13/2003	Certified	Approved	
03-7402	R 75/0561	03	909140	CONOCO PHILLIPS		40 00		40 00	
					Total Reg. Time:	40 00		40 00	
					Total O.T. Time:				
					Total Prem. Time:				

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HomeDepartment:561 -PROCESS

Contr/Prop	R Dept	N Charged	Area	Cost w/c Code	Customer Name	R,O P	Reg	O T	Prem	Total Hours Reg O T Prem
Employee: 32364 (JUAN O PEREZ) Entered: 1/19/2003						Charged: 1/12/2003		Certified Approved		
	N 75/0561	01	909140	PROCESS			-13 00	-3 00		-13 00 -3 00
03-7402	R 75/0561	05	909140	CONOCO PHILLIPS			13 00	3 00		13 00 3 00
Total Reg Time:										
Total O T Time:										
Total Prem Time:										
Employee: 32364 (JUAN O PEREZ) Entered: 1/12/2003						Charged: 1/12/2003		Certified Approved		
02-7414-01	R 75/0561	040	50	909140	MOTIVA ENTERPRISES LLC	R	9 00	9 00	4 00	22 00
	N 75/0561	01	909140	PROCESS		R		5 00	8 00	5 00 18 00
	N 75/0561	01	909140	PROCESS		O				3 00 3 00
Total Reg Time:										
Total O T Time:										
Total Prem Time:										
Employee: 32364 (JUAN O PEREZ) Entered: 1/5/2003						Charged: 1/5/2003		Certified Approved		
	N 75/0561	07	909140	PROCESS		R				10 00 10 00
	N 75/H		909140	Holiday		R		10 00		10 00
02-7414-01	R 75/0561	040	50	909140	MOTIVA ENTERPRISES LLC	R		10 00	10 00	20 00
	N 75/V		909140	Vacation		R	10 00			10 00
	N 75/0561	07	909140	PROCESS		R			-10 00	-10 00
Total Reg Time:										
Total O T Time:										
Total Prem Time:										

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1 were?

2 A. I was the senior process engineer. I helped the
3 other process engineers when they had questions. I did
4 some of the reporting. I assigned work to other
5 engineers. And I was one of the primary contacts with
6 the client, the DuPont client.

7 Q. Who was the DuPont client on that project?

8 A. Dan Dayton.

9 Q. You were the primary contact?

10 A. Well, Pete Howe or I at the time.

11 Q. I apologize. I know you said this earlier, but
12 what was the purpose of this DTT project?

13 A. The law requires documentation of relief devices
14 and the Dupont Titanium Technologies Group was having us
15 review every relief device in the plant and either verify
16 its adequacy or have it changed until it became adequate.

17 Q. Do you know if the project is still in existence?

18 A. Yes.

19 Q. Are you presently working on it now?

20 A. Yes.

21 Q. Okay. Was this the first time you ever became a
22 process lead on a project?

23 A. I believe so.

24 Q. Okay. Do they have different classifications of



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1 engineers at BE&K?

2 A. Yes.

3 Q. Okay. Meaning like an engineer I, engineer II?

4 A. Yes.

5 Q. When you started at BE&K what was your
6 classification?

7 A. I'm not sure, but I believe it was senior process
8 engineer.

9 Q. So in '95 you believe you started as a senior
10 process engineer?

11 A. Yes.

12 Q. Did that classification change at any point?

13 A. No.

14 Q. Today would you still consider yourself a senior
15 process engineer?

16 A. Yes.

17 Q. Have you ever heard the term -- let me rephrase.

18 What is the difference between a large
19 project and a small project?

20 A. In my opinion a large project is a project where
21 there are engineers from several disciplines working on a
22 project and maybe several engineers from certain
23 disciplines working on a project.

24 In my opinion a small project is a project



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1 where there are fewer people working on the project and
2 an engineer on that project needs to handle
3 responsibilities from multiple disciplines.

4 Q. Do you think duration has anything to do with
5 whether something is a large or small project?

6 A. That could as well.

7 Q. Typically how long would a large project last?

8 A. I would expect close to a year or longer.

9 Q. Typically how long would a small project last?

10 A. Less than a year.

11 Q. Does the cost of the project factor in as to
12 whether it is large or small? I mean what the project is
13 worth?

14 A. There probably is a relationship, but I don't
15 know that that has that great a significance. Well, for
16 example, this DTT project, you know, we are working with
17 relief devices that are relatively inexpensive compared
18 to the plant as a whole, but the project will last five
19 years and take a significant number of engineers, so I
20 would call that a large project, even though the capital
21 work is smaller than a lot of other projects.

22 Q. So the DTT project that you are working on is a
23 large project?

24 A. In my opinion.

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1 Q. What did you mean when you said with respect to a
2 small project the engineer needs to handle multiple
3 disciplines on the project?

4 A. If you are working with a large project, you will
5 have your, possibly several process engineers, several
6 mechanical engineers, a civil structural engineer,
7 electrical engineers, instrumentation engineers. If you
8 are working on a small project an engineer would be
9 expected to handle process work, mechanical work,
10 instrumentation work, that on a large project would be
11 handled by someone else.

12 Q. Have you ever had to do that where you had to
13 handle multiple disciplines on one particular project?

14 A. I don't remember anything specifically.

15 Q. Would you say your discipline is process
16 engineering?

17 A. Yes.

18 Q. Okay. But you don't recall any specific time
19 when you had to handle multiple disciplines on a small
20 project?

21 A. No.

22 Q. Do you know if other BE&K process department
23 engineers have ever had to handle multiple disciplines on
24 a small project?

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1 A. Yes. I know years ago there was a Small Projects
2 Group.

3 Q. Who was on that Small Projects Group, if you can
4 recall?

5 A. I can remember one name and that's John Gwinn.

6 Q. Do you recall how many people approximately were
7 on this Small Projects Group?

8 A. No. I was never involved with it and so my only
9 contact with it was from people who said that -- who said
10 he had been working in that group.

11 Q. Do you know what this group was doing?

12 A. No, I don't.

13 Q. So you don't know if they were engineers who were
14 handling multiple disciplines on a particular small
15 project?

16 A. I imagined that was what it was, but that was 10
17 years ago and any conversation I had I have forgotten.

18 Q. Does John Gwinn still work for BE&K?

19 A. Yes.

20 Q. BE&K and not Allstates?

21 A. As far as I know he works for BE&K. He's at the
22 Chambers Works plant, the DuPont Chambers Works plant.

23 Q. Do you know which department he's in?

24 A. No. I know at one time he was in the



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